



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
R. DICKINSON, et al.

Examiner: B. CASLER

Art Unit: 3305

Serial No.: 08/427,070

Filed: April 24, 1995

For: **MAGNETIC RESONANCE
APPARATUS**

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Examiner's Answer:
January 22, 1998

Attorney Docket No.:
PKR 2 363-4

Cleveland, Ohio 44114-2518
March 20, 1998

REPLY BRIEF UNDER 37 CFR §1.193(b)

Box AF

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Reply Brief is being submitted to provide Appellants an opportunity to reiterate their position regarding the rejection of **claims 14-17** under 35 U.S.C. §103 as being unpatentable over Matsutani (U.S. Patent No. 4,875,485) in view of LeVeen (U.S. Patent No. 4,230,129).

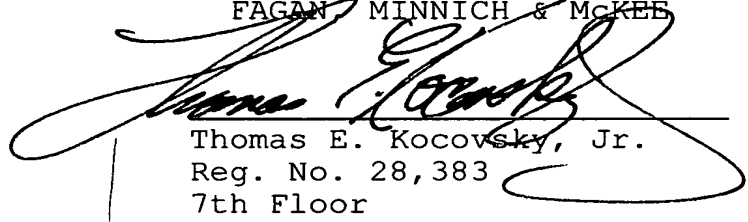
Applicants maintain, as pointed out in detail in the Preliminary Submission of April 24, 1995 and the Brief of December 4, 1997, that the present reissue claims are copied from claims 2, 5, 10 and 11 of U.S. Patent No. 5,305,749 of Li et al. for purposes of invoking an interference. The applicants request reconsideration of the Examiner's rejection of the claims of an issued U.S. Letters Patent. Therefore, **claims 14 and 16** of the present reissue application are patentable. As dependent **claims 15 and 17** of the present reissue application depend from and further limit independent **claims 14 and 16**, respectively, it is submitted they are also patentable.

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Alternatively, if the combination of Matsutani and LeVeen is held to render **claims 14-17** of the present reissue application obvious under 35 U.S.C. §103, applicants believe claims 2, 5, 10 and 11 of U.S. Patent No. 5,305,749 to Li et al. are invalid. In this situation, the Commissioner should invoke Section 2239 of the MPEP to order a reexamination of the Li et al. patent. Prosecution of the present application should be suspended during such reexamination.

Respectfully submitted,


FAY, SHARPE, BEALL,
FAGAN, MINNICH & MCKEE



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CERTIFICATE OF MAILING

I hereby certify that this **REPLY BRIEF UNDER 37 CFR §1.193(b)**, for **Reissue Application No. 08/427,070**, is being deposited in **triplicate** with the United States Postal Service as first class mail in an envelope addressed to: **Box AF**, Assistant Commissioner for Patents, Washington, D.C. 20231 on this 20th day of March, 1998.


Dottie M. Freeland